

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DOUGLAS OSTER,
 Plaintiff,

v.

BANK OF AMERICA, N.A., *et al.*,
 Defendants.

3:12-cv-90-RCJ-VPC

ORDER

On January 17, 2012, Plaintiff Douglas R. Oster filed a complaint in Nevada state court against Defendants Bank of America, N.A.; BAC Home Loans Servicing, LP; Countrywide Home Loans Servicing, LP; BAC GP, LLC; ReconTrust Company, N.A.; Nations Home Funding, Inc.; James M. McQuaig; and Mortgage Electronic Registration Systems, Inc. ("MERS"). (Compl. (#1-1) at 1). The complaint contains three causes of action related to the foreclosure of Plaintiff's home. (*Id.* at 30-34). The complaint was later removed to this Court on February 10, 2012. (Pet. for Removal (#1)).

Defendants Bank of America (on behalf of itself and as successor by merger to BAC Home Loans Servicing, f/k/a Countrywide Home Loans Servicing), BAC GP, ReconTrust Company, and MERS (collectively "Defendants") filed a Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) on March 29, 2012. (Mot. to Dismiss (#7)). Plaintiff failed to respond to Defendants' Motion to Dismiss.

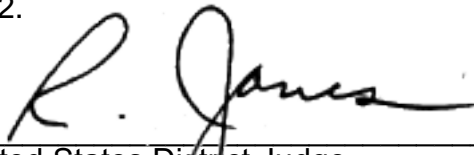
Under Nevada Local Rule 7-2(d), "[t]he failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion." The "[f]ailure to follow a district court's local rules is a proper ground for dismissal." *Ghazali*

1 v. *Moran*, 46 F.3d 52, 53 (9th Cir. 1995).

2 Plaintiff here failed to file a response to Defendants' Motion to Dismiss. Under Nevada
3 Local Rule 7-2(d), Plaintiff is therefore deemed to consent to the granting of the Motion to
4 Dismiss. Accordingly, the Court dismisses the complaint against Defendants with prejudice.

5 For the foregoing reasons, IT IS ORDERED that Defendants' Motion to Dismiss (#7)
6 is GRANTED and that the complaint is dismissed with prejudice.

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8 DATED: This 3rd day of August, 2012.

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12 United States District Judge
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